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7 *Officer Ramona Logan, Caption Richard Forbus,*  
*Deputy Chief Fred Meyer, Officer Aaron Mosley*  
8 *and the Estate of Bonnie Polley*

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA, SOUTHERN DIVISION

11 \*\*\*

12 ANTOINE BOUSLEY,

13 Plaintiff,

14 vs.

15 BONNIE POLLEY, ET AL.; RAMONA  
LOGAN; CAPTAIN FORBUS; DEPUTY  
16 CHIEF FRED MEYER; AARON MOSLEY;  
JOHN/JANE DOE A6887M,

17  
18 Defendant.

CASE NO. 2:22-cv-769-APG-EJY

**STIPULATION AND ORDER TO  
EXTEND DISCOVERY DEADLINES**

**[FIRST REQUEST]**

19  
20 Pursuant to LR 6-1 and LR 26-3, the parties, by and through their respective counsel of  
21 record, and pursuant to the Court's Order entered on August 2, 2023 (ECF 74), hereby stipulate  
22 and request that this Court extend discovery in the above-captioned case by ninety (90) days, up to  
23 and including Thursday, November 2, 2023. In addition, the parties request that all other future  
24 deadlines contemplated by the Discovery Plan and Scheduling Order be extended pursuant to  
25 Local Rule. In support of this Stipulation and Request, the parties state as follows:

- 26 1. On August 1, 2022, Plaintiff filed his Complaint in the United States District Court,  
27 District of Nevada.  
28 2. On November 29, 2022, Defendant Officer Logan filed her Motion to Dismiss.

- 1 3. On December 6, 2022, the Court entered its Scheduling Order for Civil Rights
- 2 Action filed by incarcerated pro se Plaintiff.
- 3 4. On December 21, 2022 Defendant served its FRCP 26 Initial Disclosures on
- 4 Plaintiff.
- 5 5. On February 3, 2023, Defendant served its First Supplement to FRCP 26 Initial
- 6 Disclosures on Plaintiff.
- 7 6. On February 3, 2023, Defendant served its first set of written discovery on
- 8 Plaintiffs. Plaintiff served his responses on February 27, 2023.
- 9 7. On March 24, 2023, the Court entered its order dismissing Bonnie Polley from the
- 10 case.
- 11 8. On April 4, 2023, Defendant served its Second Supplement to FRCP 26 Initial
- 12 Disclosures on Plaintiff.
- 13 9. On April 23, 2023, Plaintiff served written discovery on Defendants. Defendants
- 14 served their responses on May 31, 2023.
- 15 10. On April 25, 2023, the Court entered its order denying Defendant Logan's Motion
- 16 to Dismiss.
- 17 11. On May 8, 2023, Defendant filed her Answer to Plaintiff's Complaint.
- 18 12. On May 9, 2023, Defendant filed the identity of Bonnie Polley's Trustee under
- 19 seal.
- 20 13. On May 31, 2023, Defendant served its Third Supplement to FRCP 26 Initial
- 21 Disclosures on Plaintiff.
- 22 14. On June 13, 2023, Plaintiff served his Motion to Extend Discovery.
- 23 15. On June 16, 2023, the trustee for Bonnie Polley was served.
- 24 16. On June 14, the Court issued its order denying Plaintiff's motion and ordering
- 25 Defendant Counsel to arrange to speak with Plaintiff by phone as soon as
- 26 reasonably possible.
- 27 17. On June 22, 2023, Defendants entered a Status Report detailing their efforts to
- 28 comply with the Court's prior Order, and advising that an extension to the

discovery deadline was warranted.

18. On June 27, 2023, Plaintiff filed his second Motion to Extend the Discovery Deadlines.

19. On June 28, 2023, taking into consideration Defendants' recent Status Report and Plaintiff's second Motion to Extend the Discovery Deadline, the Court granted Plaintiff's motion and reset the discovery deadline to September 5, 2023. It also ordered that the parties participate in a meet and confer call, not limited by Plaintiff's inmate trust account.

20. The parties participated in the Court ordered meet and confer call on July 12, 2023.

21. On July 11, 2023, Plaintiff moved to substitute Aaron Mosley as a named Defendant to his Complaint.

22. On August 2, 2022, the Court entered its Order, granting Plaintiff's motion to substitute Aaron Mosely in place of John Doe Defendant. The Court further ordered Defendants to determine whether Aaron Mosely will be represented by counsel by September 5, 2023. The Court further ordered the parties to submit a proposal for new discovery deadlines, if necessary.

#### **DISCOVERY REMAINING**

1. The parties will continue participating in written discovery.

2. Defendants may depose Plaintiff.

3. The parties may depose any and all other witnesses identified through discovery.

#### **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

The parties aver, pursuant to Local Rule 26-3, that good cause exists for the requested extension. This Request for an extension of time is not sought for to delay the proceedings or for any improper purpose. Rather, the parties seek this extension solely to comply with Magistrate Judge Youchah's recent Minute Order. (ECF No. 74).

On July 11, 2023, Plaintiff filed his Motion to Substitute Aaron Mosley as a named Defendant to his Complaint. (ECF No. 68). Defendants opposed, but on August 2, 2023, Magistrate Judge Youchah granted Plaintiff's Motion, and ordered that due to the inclusion of

Defendant Aaron Mosley, Defendants were to “submit a proposal for a new discovery deadline (if any is needed), a new due date for dispositive motions, and a new joint pretrial order deadline after providing the same proposal to Plaintiff for review and approval.” (ECF No. 74).

For those reasons, the parties respectfully request an extension of the discovery deadlines in this matter.

Extension or Modification of The Discovery Plan and Scheduling Order. LR 26-3 governs modifications or extension of the Discovery Plan and Scheduling Order. Any stipulation or motion to extend or modify that Discovery Plan and Scheduling Order must be made no later than twenty-one (21) days before the expiration of the subject deadline and must comply fully with LR 26-3.

This is the first request for extension of time in this matter. The parties respectfully submit that the reasons set forth above constitute compelling reasons for the short extension.

The following is a list of the current discovery deadlines and the parties’ proposed extended deadlines:

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	<i>Tuesday, September 5, 2023</i>	<i>Monday, December 4, 2023</i>
Deadline to Amend Pleadings or Add Parties	<i>Closed</i>	<i>Closed</i>
Expert Disclosure pursuant to FRCP26 (a)(2)	<i>Closed</i>	<i>Closed</i>
Rebuttal Expert Disclosure pursuant to FRCP. 26(a)(2)	<i>Closed</i>	<i>Closed</i>
Dispositive Motions	<i>Thursday, October 5, 2023</i>	<i>Wednesday, January 3, 2024</i>
Joint Pretrial Order	<i>Friday, November 3, 2023</i>	<i>Friday, February 2, 2024</i>  <i>If dispositive motions are pending, the parties will submit their Joint Pretrial Order within thirty (30) days of the Court’s order as to any dispositive motions.</i>

1 WHEREFORE, the parties respectfully request this Court extend the discovery period by  
2 ninety (90) days from the current deadline of September 5, 2023 up to and including December 4,  
3 2023, and extend the other dates as outlined in accordance with the table above.

4 DATED this 19 day of September, 2023.

DATED this 14 day of Sept., 2023.

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16 Antoine Bousley

17 #41891

18 Lovelock Correctional Center

19 1200 Prison Road

20 Lovelock, Nevada 89419

21 Plaintiff in Proper Person

22 **ORDER**

23 IT IS SO ORDERED.

24 Dated this 20 day of September, 2023.

25   
26 UNITED STATES MAGISTRATE JUDGE  
27  
28